


Procedure file

| Basic information | | |
|---|--------------------------------|---------------------|
| IMM - Members' immunity | 2010/2123(IMM) | Procedure completed |
| Request for the waiver of parliamentary immunity of Tamás Deutsch | | |
| Subject 8.40.01.03 Members' immunity | | |

| Key players | | | |
|---------------------|---|--|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | JURI Legal Affairs | EFD SPERONI Francesco Enrico | 20/09/2010 |
| | | Shadow rapporteur PPE ZWIEFKA Tadeusz | |

| Key events | | | |
|------------|-------------------------------------|---|---------|
| 26/01/2011 | Vote in committee | | Summary |
| 31/01/2011 | Committee report tabled for plenary | A7-0015/2011 | |
| 03/02/2011 | Results of vote in Parliament |  | |
| 03/02/2011 | Decision by Parliament | T7-0029/2011 | Summary |
| 03/02/2011 | End of procedure in Parliament | | |

| Technical information | |
|----------------------------|---------------------------|
| Procedure reference | 2010/2123(IMM) |
| Procedure type | IMM - Members' immunity |
| Procedure subtype | Waiver of immunity |
| Legal basis | Rules of Procedure EP 6 |
| Other legal basis | Rules of Procedure EP 165 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | JURI/7/03458 |

| Documentation gateway |
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|---|------------------------------|------------|----|---------|
| Committee report tabled for plenary, single reading | A7-0015/2011 | 31/01/2011 | EP | |
| Text adopted by Parliament, single reading | T7-0029/2011 | 03/02/2011 | EP | Summary |

Request for the waiver of parliamentary immunity of Tamás Deutsch

The Committee on Legal Affairs unanimously adopted the report drafted by Francesco Enrico SPERONI (EFD, IT) on the request for waiver of the immunity of Tamás DEUTSCH (EPP, HU).

Criminal proceedings have been brought by a Hungarian citizen against Tamás Deutsch, a Member of the European Parliament, who is accused of defamation under the Hungarian Criminal Code. Mr Deutsch is charged with an offence of defamation allegedly committed as a result of statements made about the accuser in the course of a radio programme broadcast on 25 March 2010 to which he was invited in his capacity as a politician and a Member of the European Parliament.

As far as the applicability of Article 8 of the Protocol on the Privileges and Immunities is concerned, the committee considers that it should be noted that the charges brought against Tamás Deutsch refer to opinions expressed in the performance of his duties as a Member of the European Parliament.

The committee states that to seek to gag Members of Parliament from expressing their opinions on matters of legitimate public interest and concern by bringing legal proceedings is unacceptable in a democratic society and in breach of Article 9 of the Protocol, which is intended to protect Members' freedom of expression in the performance of their duties in the interests of Parliament as an Institution.

Accordingly, the committee calls on the European Parliament not to waive parliamentary immunity of Tamás Deutsch.

Request for the waiver of parliamentary immunity of Tamás Deutsch

The European Parliament decided not to waive parliamentary immunity of Tamás DEUTSCH (EPP, HU).

Tamás Deutsch is accused of defamation under the Hungarian Criminal Code. He expressed in a radio programme a number of allegedly untrue statements concerning the past of the accuser which were considered by him to be defamatory.

Considering that the charges brought against Mr Deutsch refer to opinions expressed in the performance of his duties as a Member of the European Parliament, Parliament consider that it is necessary to protect his freedom of expression.

Accordingly, the European Parliament decided not waive parliamentary immunity of Tamás Deutsch.